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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Claude COTREL et al.

Appln. No. 09/722,438

Group Art Unit: 1624

Filed: November 28, 2000

Examiner: M. Berch

For: OPTICALLY ACTIVE 5H-PYRROLO[3,4-B]PYRAZINE DERIVATIVE, ITS
PREPARATION AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the three listed documents on the first page of Form PTO-1449 is submitted herewith. These three documents were recently submitted (on February 5, 2001) for the Examiner's consideration in parent application 09/124,651, but were found not to affect the holding of patentability of the sole claim pending therein; the parent application was allowed on May 14, 2001.

The present application was filed on November 28, 2000 as Application No. 09/124,651, and claims benefit of the parent and its predecessor applications under 35 U.S.C. § 120.

Therefore, in accordance with 37 CFR §§ 1.98(a) and 1.98(d), all documents which were of

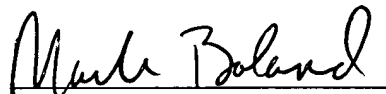
INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No. 09/722,438

record in the parent, as of the filing date of this continuation, are listed on page 2 and subsequent pages of Form PTO-1449 (10 pages total); however, copies of the cited documents are not attached. Should the Examiner like to receive copies for any reason, simply call the undersigned and the same can be easily provided.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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